

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 928 - SB 1335

April 12, 2021

SUMMARY OF ORIGINAL BILL: Affirms that any treaty, executive order, rule, or regulation of the United States government that violates the Second Amendment of the United States Constitution as null, void, and unenforceable. Prohibits the state and political subdivisions from using public resources to enforce, administer, or cooperate with the enforcement or administration of any such treaty, executive order, rule, or regulation.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006840): Deletes all language after the enacting clause. Affirms that any law, treaty, executive order, rule, or regulation of the United States government that violates Article I, § 26 of the Tennessee Constitution or the Second Amendment of the United States Constitution, as determined by the United States or Tennessee Supreme Court, as null, void, and unenforceable. Prohibits the state and political subdivisions from using public resources to enforce, administer, or cooperate with the enforcement or administration of any such law, treaty, executive order, rule, or regulation. Establishes that an official who violates Tenn. Code Ann. § 38-3-115, which establishes that no public funds, personnel or property of the state is to be allocated to enforce federal laws governing firearms where it would violate state laws, is subject to ouster.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Article 1, Section 26 of the Tennessee Constitution states, "That the citizens of this State have a right to keep and to bear arms for their common defense; but the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime."
- Pursuant to the Second Amendment of the United States Constitution, "A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."

- Affirming that that any law, treaty, executive order, rule, or regulation of the federal government that violates the Second Amendment or Article I, § 26 of the Tennessee Constitution as null, void, and unenforceable will not have a significant impact on state revenue or expenditures.
- Prohibiting the state and political subdivisions from using public resources to enforce, administer, or cooperate with the enforcement or administration of any such law, treaty, executive order, rule, or regulation will not have a significant impact on state or local government expenditures.
- Subjecting certain public officials to ouster will not significantly impact state or local government expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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